

## **REMARKS**

In view of the preceding amendments and the comments which follow, and pursuant to 37 C.F.R. § 1.111, amendment and reconsideration of the Official Action of May 7, 2004 is respectfully requested by Applicants.

### **Summary**

Claims 1 – 17 stand rejected. Claims 1, 6, 7, and 8 have been amended. No new matter has been introduced as a result of this amendment.

Claims 1 – 17 are pending.

### **Rejections of Claims under 35 U.S.C. §112**

The Examiner has rejected Claims 1 – 17 under 35 U.S.C § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended Claims 1, 6, 7, and 8 to remove any ambiguities.

As such, in regard to Claim 1, the phrasing "in the height direction" has been deleted. In regard to Claims 7 and 8, the phrasing "the two side faces" has been substituted with the phrasing "two side face", in all occurrences.

In addition, amended Claim 6 now recites that the two sides of the front end face of the main pole in the track width direction are tilted away from each other toward the top of the main pole layer, and have one of a straight or curved shape.

Applicants therefore respectfully request that the rejections of Claims 1 - 17 under 35 U.S.C § 112 be withdrawn.

### **Rejection of Claims under 35 U.S.C. §102**

The Examiner has rejected Claims 1 – 2 and 11 under 35 U.S.C. § 102 (e) as being anticipated by Sato et al. (US 2002/0006013).

In order to overcome the date of the Sato reference relied upon by the Examiner for this 102(e) rejection, and in accordance with 37 C.F.R. 1.55, Applicants hereby encloses an English translation of the certified copy of the corresponding Japanese application, JP 2000 – 394723, relied upon for foreign priority claims. In addition, a

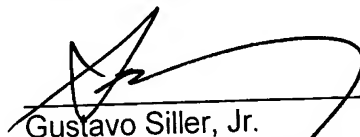
statement that the English translation of the certified copy is accurate is also enclosed.  
As such, Applicants respectfully that the rejections of Claims 1 – 2 and 11 under 35  
U.S.C. § 102 (e) be withdrawn.

### Conclusion

In view of the above amendment and remarks, Applicants respectfully submit that this application is in condition for allowance and such action is earnestly requested. Applicants believe that a month extension is due. A petition for one-month and a corresponding check are enclosed. In addition, Applicants are hereby providing a First Supplemental Information Disclosure Statement.

If for any reason, however, the Examiner feels that a telephone interview would be helpful in resolving any remaining issues the Examiner is respectfully requested to contact Applicant's undersigned attorney.

Respectfully submitted,

  
\_\_\_\_\_  
Gustavo Siller, Jr.  
Registration No. 32,305  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200